


**PLANNING
PERMIT**

Permit No: D/109/2025

Planning Scheme: Darebin Planning Scheme

Responsible Authority: City of Darebin

ADDRESS OF THE LAND: 353 Edwardes Street RESERVOIR VIC 3073, 355 Edwardes Street RESERVOIR VIC 3073

THE PERMIT ALLOWS:

Darebin Planning Scheme Clause no.:	Matter for which a permit has been granted:
Clause 32.08-7	Construct two or more dwellings on a lot.
Clause 52.06-3	Reduce the number of car parking spaces required under clause 52.06-5.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as TP04, TP05, TP06, TP07, TP08, TP09 and TP11, Rev D, Project Number AMS25001, dated 21 July 2025, by AMS Constructions, Canopy Cover Plan, Project Number L10811, dated 24 July 2025 by Keystone Alliance, and Landscape Plan, Rev A, Project Number L10811, dated 11 June 2025 by Keystone Alliance but modified to show:
 - (a) Car spaces shown as having minimum dimensions of 6 x 3.5 metres.
 - (b) The gradient of the vehicle accessway to comply with Design Standard 3 in Clause 52.06-9 of the Darebin Planning Scheme.
 - (c) The location of pedestrian and vehicle accessway motion sensor lights.
 - (d) Dimensions of porches to demonstrate compliance with Clause 55.03-4 of the Darebin Planning Scheme.
 - (e) Dimensions of bin storage areas.
 - (f) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the eastern and western sides of the existing crossover to Edwardes Street. Where within the site, the splays must be at least 50% clear of any visual obstructions (structures, vegetation and the like). The splays may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.
 - (g) The south-facing Dwelling 5 meals/living room window with either:
 - (i) a sill with a minimum height of 1.7 metres above finished floor level;
 - (ii) a fixed external screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level; or

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- (iii) fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.

Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties. Screens must be constructed of durable materials and be integrated with the design of the development.

- (h) Any modifications required as a result of the approved Landscape Plan required by Condition No. 4 of this Permit.
- (i) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 5 and 6 of this Permit.
- (j) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (k) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.

When approved, the plans will be endorsed and form part of this Permit.

- The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- Any new dwellings allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Darebin Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
- The Landscape Plan to be endorsed and which will then form part of this Permit is the Landscape Plan submitted with the application (identified as Landscape Plan, Rev A, Project Number L10811, dated 11 June 2025 by Keystone Alliance).

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

The requirements of the endorsed Landscape Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

The development must not be occupied, unless otherwise approved by the Responsible Authority in writing, until the landscaping works shown on the endorsed Landscape Plan are completed to the satisfaction of the Responsible Authority.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority, including by replacing any dead, diseased, dying or damaged plants to the satisfaction of the Responsible Authority.

5. Before the development (including demolition) starts, tree protection fencing (TPF) must be erected in accordance with the following requirements to provide a Tree Protection Zone (TPZ):

Tree*	Location	TPZ (radius from the base of the tree trunk)
Tree 1 – Lophostemon confertus (Queensland Brush Box)	Naturestrip	2.0 metres
Tree 2 – Lophostemon confertus (Queensland Brush Box)	Naturestrip	2.0 metres
*as defined in Arboricultural Impact Assessment, by Jesse Easton, Future Tree Health, dated 13 February 2025		

6. The following tree protection measures must be implemented for trees identified in the table to Condition No. 5 of this Permit:

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- (a) Tree protection measures must be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.
 - (b) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a Tree Protection Zone (TPZ). The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.
 - (c) Any pruning works must be carried out in accordance with the Australian Standard AS4373 - 2007: Pruning of Amenity Trees and undertaken by a suitably qualified arborist.
 - (d) The construction of the crossover (and any other buildings and works within a TPZ) must be undertaken under the supervision and direction of a qualified arborist.
 - (e) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
 - (f) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
 - (g) A qualified arborist must oversee all works in and around the established Tree Protection Zone (TPZ) for Trees 1 and 2.
7. Before plans are endorsed under Condition No. 1 of this Permit, an amended Stormwater Management System Report (SMSR) and Water Sensitive Urban Design (WSUD) Plan to the satisfaction of the Responsible Authority must be submitted to an approved by the Responsible Authority. When approved, the amended SMSR Report and WSUD Plan will be endorsed and will then form part of this Permit. The amended SMSR Report and WSUD Plan must be generally in accordance with the document identified as WSUD report, File Number 3710, dated 12 March 2025 by Northern Environmental Design but modified to show:

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- (a) Consistency between STORM report and WSUD plan in relation to catchment areas. A minimum water tank reliability must be maintained along with a STORM rating of 100%.
- (b) A legend included on WSUD plan referencing the different surface areas.
- (c) WSUD plan not overlaid on floor plans instead located on an independent roof plan.
- (d) WSUD plan to be amended as follows:
 - (i) Where all stormwater will drain, downpipes clearly marked and the direction of flow shown with arrows.
 - (ii) Draw and label the location of all water tanks and WSUD features on the plans. Provide dimensions, sections, plant types, etc.
 - (iii) Legal point of discharge.
 - (iv) Confirmation no charged pipe under the building slab will be used.
 - (v) Confirmation that the overflow system for the rainwater tanks must be gravity fed to the legal point of discharge (LPOD) as pumps are not acceptable.

The requirements of the endorsed SMSR and WSUD Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

8. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
 - (a) Erosion and sediment.
 - (b) Stormwater.

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

(c) Litter, concrete and other construction wastes.

(d) Chemical contamination.

The requirements of the endorsed Site Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

9. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

The external lighting must be designed, baffled and located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.

10. The land must be drained to the satisfaction of the Responsible Authority.

11. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:

(a) concealed in service ducts or otherwise hidden from view; or

(b) located and designed to integrate with the development,

to the satisfaction of the Responsible Authority.

12. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the buildings without the prior written consent of the Responsible Authority.

13. Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:

(a) constructed;

(b) properly formed to such levels that they can be used in accordance with the plans;

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(c) surfaced with an all-weather sealcoat;

(d) drained;

to the satisfaction of the Responsible Authority.

14. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
15. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
16. Prior to the issue of a Building Permit in relation to the development approved by this permit, a Community Infrastructure Levy and/or Development Infrastructure Levy must be paid to Darebin City Council in accordance with the approved Development Contributions Plan Overlay.
17. This Permit will expire if either:
 - (a) The development does not start within three (3) years from the date of this Permit; or
 - (b) The development is not completed within five (5) years of the date of this Permit.

As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:

- (a) Before this Permit expires;
- (b) Within six (6) months after the expiry date; or
- (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

NOTATIONS
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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

(These notes are provided for information only and do not constitute part of this permit or conditions of this permit)

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the use and/or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N6. Please note the Development Contribution Plan levy will be invoiced separately.

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City of
DAREBIN

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 of Part 4 of the Planning and Environment Act 1987).

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if-
 - the development or any stage of it does not start within the time specified in the permit, or
 - the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision, or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of the land expires if –
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if –
 - the development or any stage of it does not start within the time specified in the permit, or the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development, or the use is discontinued for a period of two years
4. If a permit for the use of the land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision –
 - the use or development of any stage is to be taken to have started when the plan is certified, and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry

WHAT ABOUT APPEALS?

- The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in which case no right of appeal exists.
- An appeal must be lodged within 60 days after the permit was issued, unless a Notice Of Decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- An appeal is lodged with the Victorian Civil and Administrative Tribunal.
- An appeal must be made on a Notice of Appeal form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An appeal must state the grounds upon which it is based.
- Any appeal must also be served on the Responsible Authority.
- Details about appeals and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.